**Defining Key Terms**

GOVT 2305

The purpose of this section is to introduce you to some of the key terms we will be using over this class. Once you complete this section I expect that you will be able understand what many of the key words and principles we will use in the class mean.

These are the two basic terms that will define what we cover in class:   
  
“[Government](http://en.wikipedia.org/wiki/Government)”   
  
“[Politics](http://en.wikipedia.org/wiki/Politics)”

**Here are two, of the many, definitions of “Government”**  
  
- The institution, or institutions, with the monopoly on the legitimate use of coercion in society.  
  
- The institutions and procedures through which a land and its people are ruled.

**And here are some of the many, definitions of “Politics”**  
  
1- The authoritative allocation of values in society.  
  
2 - The struggle over who gets what when and how.  
  
3 - Intrigue or maneuvering within a political unit in order to gain control or power  
  
4 – The art of what’s possible.

These terms are distinct.   
  
“Government” refers to the institutions that possess the authority to rule, “politics” refers to the efforts to influence what those rules will look like.

Government has to rest on a sovereign authority in order to function legally. Let’s take a moment to define that term:  
  
[Sovereignty](http://www.hawaii-nation.org/sovereignty.html)

Three definitions of “[sovereignty](http://www.hawaii-nation.org/sovereignty.html)”  
  
1 - supreme power, especially over a body politic  
  
 2 - the quality of having supreme, independent authority over a territory  
  
 3 - the power to do everything in a state without accountability

In the U.S. we claim that sovereignty rests with the people.   
  
Of course, things get complicated after that since the people cannot directly rule – but we will dig into this later.

The term effectively refers to who is in charge. The United States, we are reminded continually, is based on popular sovereignty. Authority rests on the people – the consent of the governed.  
  
*. . . though we commonly whether this is in fact the case . . .*

Here is a key controversy concerning sovereignty:

Do the people always retain sovereignty or, once they agree to establish governing institutions, and elected people to hold positions in those institutions, do they surrender that right to those institutions with the understanding that they can keep them in check through periodic elections?

How much direct and immediate control do “the people” have over government?   
  
As we will see soon enough, the people (more specifically – the electorate) have little direct control over government.

The term sovereignty is used quite often in political contexts. When we discuss conflicts between Texas and the US in upcoming sections on federalism and civil rights will point out that the Texas government often likes to accuse the national government of violating its sovereignty.

Some related blog material:   
  
[sovereignty](http://theweakerparty.blogspot.com/search/label/sovereignty)  
[state sovereign immunity](http://theweakerparty.blogspot.com/search/label/state%20sovereign%20immunity)

And for good measure, here is a fourth: Public Policy  
  
Here are two definitions of it:

1 - Public policy is a course of action adopted and pursued by a government.   
  
2 - Public policy is a purposive and consistent course of action produced as a response to a perceived problem of a constituency, formulated by a specific political process, and adopted, implemented, and enforced by a public agency.   
  
[*- click here for the source.*](http://profwork.org/pp/study/define.html)

Simply put, public policy is what in fact government chooses to do or not do. More broadly, it’s the set of actions that intend to implement a desired result.  
  
Reserved powers

Foreign Policy: The set of actions designed to ensure that America’s interests are met in our relations with other nations.  
  
Social Welfare Policy: The policies focused on the well being of the population.  
  
Economic Policy: The set of actions designed to ensure to ensure that the economy grows and prospers.

There are many more.  
  
Battles are fought over exactly what these policies look like and who should benefit the most from them. These are often ideological in nature and can involve questions about which level of government most properly should handle them.

Back to defining the first term:   
  
“What is Government?”

This is the term used to define the institutions that have evolved to establish and implement rules that determine how a group of people will live together in some agreeable way.   
  
The simple act of deciding and enforcing what side of the road people should drive on helps strangers cooperate and efficiently live their lives.

We will discuss controversies regarding what types of goods and services are best provided by the public or private sector soon enough, but for now think of government as the entity that has the authority to make – and more importantly implement – rules that govern interrelationships and transactions among people.

Here’s some history: There are two models which describe the evolution and origins of government.   
  
1 - Coercion: Government   
based on force.  
  
2 - Consent: Government   
based on consent.

A quick qualifier is in order. Governments have to have coercive power in order to exist. They have to be able to coerce people to follow the laws and to pay taxes. Which means that the two basic components of government are law enforcement and revenue collection.   
  
If a government cannot compel people to follow is laws or pay taxes, its not really a government. It may be a [failed state](https://en.wikipedia.org/wiki/Failed_state).

Historically governments evolved due to [coercion](http://en.wikipedia.org/wiki/Coercion). One group forces another to join with them, or fall under their dominion. This is the most historically accurate description about how governments evolved over time.  
  
The evolution of the Roman Republic then Empire is a great example. The small city or Rome was gradually able to dominate much of Europe by gradually coercing its neighbors to fall under its influence.

For a famous example read up on the [Rape of the Sabine Women](https://en.wikipedia.org/wiki/The_Rape_of_the_Sabine_Women). It was the first in a series if acts leading to the expansion of Rome  
  
For more: [Muslim conquests](http://en.wikipedia.org/wiki/Muslim_conquests), [Mongol conquests](http://en.wikipedia.org/wiki/Mongol_conquests), [Spanish conquest of the Aztec Empire](http://en.wikipedia.org/wiki/Spanish_conquest_of_the_Aztec_Empire)

In these systems, sovereignty rests with the rulers, not the ruled. The ruled are subject to whatever the conquerors choose. These governments are kept in place through violence.

A government that rests on [consent](http://en.wikipedia.org/wiki/Consent) derives its authority from the general population. The ruled are also the rulers. The only justification for governmental authority is the consent of the governed.

American government is based on consent. Philosophically, it rests on the idea that at some point in history, a group of individuals in the [state of nature](http://en.wikipedia.org/wiki/State_of_nature) joined together for mutual security and in order to better achieve group goals.  
  
To get ahead of the game, you may want to read through John Locke’s [Of the State of Nature](http://www.lonang.com/exlibris/locke/loc-202.htm).

This is stated in the   
[Declaration of Independence](http://avalon.law.yale.edu/18th_century/declare.asp).  
  
While we will dig into this document more fully soon, the following paragraph outlines this idea.

**We hold these truths to be self-evident:**   
  
That all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

As we will see in the next section, the Declaration of Independence was based on John Locke’s [Second Treatise on Government](http://libertyonline.hypermall.com/Locke/second/second-frame.html) (1689), which develops the idea that man is born in a state of nature and consents to form a government for mutual security, among other reasons.

The theory begins with the assumption that people are endowed with rights and argues that a government is consented to in order to secure those rights.

Otherwise these rights are insecure.  
  
Others are always interested in taking your stuff.  
  
Did you lock your car? Why?

This provides a justification for the existence of government, and a general sense of what a government is supposed to do.   
  
But what is a government in fact? We will now turn to governing institutions in order to determine what they are and what they do.

In the American system, there are three types of governing powers and these are vested in three types of institutions:  
  
[Legislative](http://en.wikipedia.org/wiki/Legislature)   
[Executive](http://en.wikipedia.org/wiki/Executive_branch)  
[Judicial](http://en.wikipedia.org/wiki/Judiciary)

These are, in turn, the institutions that make, implement and adjudicate the law.

As we will see soon enough, these are the [separated powers](http://en.wikipedia.org/wiki/Separation_of_powers).  
  
In the previous section you saw that James Madison argued that the concentration of these three powers in one person or institutions is the very definition of tyranny (absolute rule). We will explore this more deeply later.

As we will see in future lectures, in the American system, these three institutions are designed to be independent from each other (the separated powers) and serve to check each other’s power in order to keep them in their proper places (the checks and balances).

One of the major accomplishments of Anglo-American governance was the development of separate governing institutions with defined job descriptions and the ability to restrain each other.

The most important of these accomplishments was the ability to restrain executive power.   
  
We will discuss this more thoroughly in the next section.

We will also note that these institutions exist on the national, state and local levels. The term for this, we will discover, is federalism.  
  
The point is that the American governing system is very decentralized and very complex as well.

While each institution is held to be equal, they aren’t really.   
  
In reality, the legislative and executive branches are stronger than the judicial.

The Legislature possesses the power of the purse. It can impose taxes and distribute spending.  
  
The Executive possesses the power of the sword. It implements the law. In some sense, the term government in the minds of many means the executive.

The Judiciary only has its reputation for fairness and impartiality behind it. It reality it is only as strong as the other branches are willing to allow it to be. It has no control over the purse or the sword, apart from its ability to check the powers of the executive and legislature. Its primary power is influence. Its influence depend on how fair people think its decisions are.

What different types of government can exist? There are many, but we will look at a handful based on these two questions   
  
1- Where is sovereignty located?  
2 – How much individual freedom does the government allow?

Here are three general types of governments distinguished by where sovereignty is located – in other words – who rules?  [Autocracy](http://en.wikipedia.org/wiki/Autocracy) - Rule by the one  
  
[Oligarchy](http://en.wikipedia.org/wiki/Oligarchy) – Rule by the few  
  
[Democracy](http://en.wikipedia.org/wiki/Democracy) – Rule by the many

Each has advantages and disadvantages.

Autocracies are efficient, meaning they can act quickly. The fewer people needed to respond to a crisis, the more effectively it can be addressed. But the rule can also be very arbitrary. There are no rules in place that can limit the actions of government, so the autocrat can do what he or she pleases.

Oligarchies are capable, meaning that the ruling class is often composed of people who have some general skills, knowledge or ability that makes it more likely that they can rule well, but their rule can be biased. The benefits handed out by government are more likely to flow to them and those they choose to reward. Oligarchies commonly use hereditary or class distinctions to confer these advantages.

Democracies are generally considered to be legitimate by the populations they rule over, meaning that their decisions are more likely to be accepted by the general population since they see themselves as being participants in their formation. But democracies, since they are driven by a majority, prone to passion and succumb to mob violence. They have a tendency to not respect the rights of the minority, and can be as tyrannical as any other type of government. It was a Greek democracy that executed Socrates.

Each of these systems are incorporated into the American constitutional system. This allows for the benefits of each to be incorporated into the government, and the disadvantages of each to – hopefully - be checked by the other two.  
  
Legislatures are Democratic  
Executives are Autocratic  
Judiciaries are Oligarchic

The (democratic) U.S. House of Representatives is composed of 435 people selected from 435 distinct districts around the country. These people are held in check with two years terms and regular elections. It is specially designed to contain within it all of the conflict one is likely to see in the country at large. It is where all the various voices in the nation are meant to be heard.

The Senate is a bit less democratic since they are selected for six year terms. They were also initially selected by the state legislatures.

The (autocratic) executive branch on the national level is headed by a single person in order to ensure that it has the ability to act quickly and decisively. Once laws are passed, they are to be efficiently implemented.

The (oligarchic) judiciary is composed of a small set of individuals appointed to office with the intent that they be highly educated and skilled. The office is designed to give them the independence necessary to do their job without being limited by the general population.

Since we use the term [democracy](http://en.wikipedia.org/wiki/Democracy) to define ourselves, let’s give it some special attention.  
  
[Definition](http://www.merriam-webster.com/dictionary/democracy): *a government in which the supreme power is* [*vested*](http://www.merriam-webster.com/dictionary/vest%5b1%5d) *in the people and exercised by them directly or indirectly through a system of representation usually involving periodically held free* [*elections*](http://www.merriam-webster.com/dictionary/election)*.*

There are generally three components of democracy  
  
Universal Adult Suffrage  
Majority Rule  
Minority Rights

All adults should be able to vote. As we will see in a future section, the expansion of the vote occurred gradually over the course of history. The majority (or some such criteria) should make decision about public affairs. But there ought to be limits to what the majority can do in order to protect the rights of minorities.  
  
The last part creates tension.

We will note in coming sections the tension between majority rule and minority rights. We will point out that democratic societies are not necessarily free. Majorities can tyrannize minorities quite easily in a democracy.  
  
[Tyranny of the Majority](http://en.wikipedia.org/wiki/Tyranny_of_the_majority)

There are two types of democracy  
  
[Direct](http://en.wikipedia.org/wiki/Direct_democracy) (or Pure)  
[Indirect](http://simple.wikipedia.org/wiki/Indirect_democracy) (or Representative)

In a pure democracy, the people are able to directly vote for legislation while in a representative democracy the people vote for others who will pass laws, and then hold them accountable in periodic elections.

The United States is an indirect democracy. We vote for representatives and hold them accountable. Some states (though not Texas) allow for direct democracy through referenda, initiatives, recall elections. These allow the electorate to place items on the directly impact the law. Almost all cities – including those in Texas – allow these types of elections.

The distinction touches on a critical issue, one touched on in the previous section. Democracy means rule by the people, but how closely should the people be able to rule? Should decisions be instantaneously implemented, or should there be institutions to modify their direct impact?  
  
An example of a direct democracy would be the New England [town hall meeting](http://en.wikipedia.org/wiki/Town_meeting). While we tend to think highly of these types of meetings, the framers of the Constitution did not. Here’s a famous example of unjust decisions made and implemented quickly: [The Salem Witch Trials](http://en.wikipedia.org/wiki/Salem_witch_trials).

The Founders were uninterested in founding a direct – or “pure” – democracy. They believed that many of the problems they faced were caused by the excessive democracies created under the Articles of Confederation. Institutions composed of representatives should come between the people and the law.

They were suspicious of democracy, and wished to establish the Constitution as a way to allow for broad participation, but check it.  [Click here for quotes regarding the excesses of democracy](http://lexrex.com/enlightened/AmericanIdeal/yardstick/pr12.html).

The second way to distinguish between governmental systems is to ask how much individual freedom is allowed by the government. Where is the line drawn between the government’s authority and the rights of the individual? Again there are three ways to distinguish between governmental systems based on this criterion: [totalitarian](http://en.wikipedia.org/wiki/Totalitarianism), [authoritarian](http://en.wikipedia.org/wiki/Authoritarianism), and limited or [constitutional](http://en.wikipedia.org/wiki/Constitutional_republic).

In a totalitarian system, all power rests with the state. There is no sense of individualism as we might recognize it. But totalitarian governments are difficult and costly to sustain. The bright individual can be seen as a threat and resource are used to contain them. There is little innovation in such systems. Consequently, the most totalitarian countries tend to also be the poorest.

Authoritarian governments also limit individual freedom, but tend to have to share power with other institutions in society and are unable to have total control. There are physical and practical limits to their power.   
  
Constitutional governments are based on enforceable constitutions that place limits on their power and list the nature of the rights of the general population. As a consequence, a priority is placed on individual freedom.

A constitutional system is also called a system of limited government.  
  
It is the only one where meaningful limits are placed on the powers of government. The others are prone to arbitrary rule.

We will look at constitutions soon enough, but for now here is a definition of the word [Constitution](http://en.wikipedia.org/wiki/Constitution)  
  
“A set of rules for a government that articulate its powers and functions, and establishes its institutions, principles, structures and procedures. It also establishes its relationship with the general population by clearly stating its limits and the rights of the people.”

But here’s an important question: Why value individual freedom? Why should governments allow people to be free? What’s in it for them? This is a question political theorists like John Stuart Mill asked.

There are at least two answers  
  
1 – Freedom is a natural right, something that a government must protect.  
  
2 – There are tangible benefits to living in a free society. Wealth tends to grow in free societies.

The first is a philosophical question which we will save for later.  
  
When we read the Declaration of Independence we will note that it states that it is a self evident truth that people are born with unalienable rights and that governments are established to preserve them.

As for the second: Free societies tend to be wealthier than those that are not free. There is a practical advantage to being free. An independent business and academic sector can emerge and introduce new ideas that can enhance the well being of the people and the nation.  
  
Minimal governmental interference with business and social affairs allows for innovation and development. There tends to be a [positive relationship](http://en.wikipedia.org/wiki/Freedom_in_the_World_(report)) between freedom and national wealth.

[John Stuart Mill](http://en.wikipedia.org/wiki/John_Stuart_Mill) argued that free speech did the same. People should be free to challenge orthodox beliefs – scientific beliefs for example - since that allows societies to swap error for truth.  
  
[Adam Smith](http://en.wikipedia.org/wiki/Adam_Smith) argued that free markets promoted the general welfare by unleashing the productive power and the ingenuity of individuals within society. He wrote these thoughts out in [The Wealth of Nations](http://en.wikipedia.org/wiki/The_Wealth_of_Nations).

But freedom has consequences, as mentioned in the previous section. It allows for conflict and disagreement. If you allow people to speak freely and use the press, they will express their disagreements, and if they can create groups to pursue their objectives, these disagreements can manifest themselves in the government.   
  
Which in may ways can be considered the birth of the political process.

But free markets allow for the development of powerful interests outside the control of government  
  
Businesses  
Corporations  
Universities  
Religious Institutions  
etc . . .

And free speech allows for those in charge to be challenged by others.   
  
It leads to the development of a political sector. What had been [seditious libel](http://en.wikipedia.org/wiki/Seditious_libel), subject to punishment, is now politics.

Concluding point:   
  
The restriction of the arbitrary use of governing power has led to the development of a political sector.

Central to this was the development of the right to peaceably assemble and to petition government for a redress of grievances in late 17th Century Britain. People were able to meet together and criticize the king.  
  
This allows for the legal development of political organizations.

Here’s something to consider the next time you want to complain about politics. It exists because of individual freedom. There is no political system in a totalitarian state.   
  
This allows for us to transition to a discussion of the term “politics.” Here are the definitions I offered previously.

1- The authoritative allocation of values in society.  
  
2 - The struggle over who gets what when and how.  
  
3 - Intrigue or maneuvering within a political unit in order to gain control or power  
  
4 – The art of what’s possible.

Politics almost inevitably   
involves conflict. Conflict often revolves around two key factors:   
  
Values  
Interests

Values  
  
A sense of what is right and wrong, and whether a government has the authority to address it. For examples, think of the ongoing struggles over abortion and same-sex marriage.

Interests  
  
The tangible benefits one receives from government. Think of the struggle over where tax rates are set, which industries are subsidized, what regulations are set, and where spending is focused. According to James Madison, conflict over interests are inevitable, and groups will always form around those interests. We will catch up with this in the section on Federalist #10.

Madison argued that in a free society – which we are given that we have an enforceable constitution – disputes would not only be inevitable, but would lead to the creation of groups that would pursue the values and/or interests of the group. This has led to the creation of three types of groups, each of which exists because of specific limitations placed on the power of government – specifically Congress – in the First Amendment. These are the political institutions: political parties, interest groups, and the press.

[Political Party](http://en.wikipedia.org/wiki/Political_party): A group of individuals that have organized around shared political principles with the intent of winning elections to governmental office and organizing governing institutions once in power

[Interest Group](http://en.wikipedia.org/wiki/Advocacy_group): an organization that seeks to influence political decisions often by lobbying elected leaders directly and becoming active in elections.

The Press: Organizations with the technology and audience to disseminate information. This can include [the media](http://en.wikipedia.org/wiki/Mass_media) and [public relations](http://en.wikipedia.org/wiki/Public_relations) firms among others.

Each are external forces on government that allow those not in power to have an influence on government, and those in power to consolidate control. Political parties are an exception of sorts because they have worked their way into the internal operations of government, especially Congress. We will discuss this further when we cover both Congress and political parties.

A quick word on public opinion.   
In a democracy, the most important political force on government is [public opinion](http://en.wikipedia.org/wiki/Public_opinion). The definition of public opinion might be self evident, but here’s one:   
  
“the collective opinion of many people on some issue or problem, especially as a guide to action, decision, or the like.”  
  
A key question investigated by political scientists: Why do people take the positions they do? We will explore this in future sections.

One of the ways this can be done is for people to adopt an ideological position which can then allow them to use shortcuts to figure out where they ought to stand on different issues of the day. They can do this themselves by applying their values and interests to that issue or taking cues from others who have that same ideological position.

The next section focuses on ideology, but here’s some introductory information so the material makes more sense to you when we get to it.   
  
Let’s start with a simple definition of political ideology: A set of positions on issues that are based on a fundamental value.

Scholars who study ideology tend to focus on three dominant values that tend to underlie ideology: freedom, equality and tradition  
  
What’s interesting about these is that the first two – freedom and equality – can be in conflict. While we like to argue that Americans respect the idea that we are free and equal, policies that promote one can violate the other. Welfare policies for example. The promotion of equality can also undermine traditional relationships. Think of same sex marriage.

The conflict between the two dominant ideologies in contemporary politics – [conservatism](http://en.wikipedia.org/wiki/Conservatism) and [liberalism](http://en.wikipedia.org/wiki/Liberalism_in_the_United_States) – are based on the inherent conflict between the values each rests on. Conservatism tends to rest on the values of both freedom and ideology while liberalism tends to rest on the value of equality.  
  
Here are bullet points about each:

Conservatism

* Historically based on support for tradition, the status quo, and the preservation of privilege.
* More recently also focused on individual liberty.
* Tends to prefer private solutions to public policy issues over public solutions.
* If government is to be involved, they tend to support control by the smallest level – either the local or the state, rather than the national government.
* Most important historical figure: Edmund Burke

Liberalism

Historically the term was used in a manner similar to contemporary conservatives – at least those that prioritize freedom over tradition.

More recently oriented towards equality, especially as it relates to reform and the liberation of lower classes.

Heavily supportive of anti-poverty and civil rights policies, in addition to the expansion of access to health care, education among other things.

Governmental solutions – especially on the national level – is often preferred over private sector solutions because that is more likely to result in the equal distribution of benefits.

Neither is thoroughly cohesive. Disputes exist within each. Few people are completely conservative or completely liberal.  
  
Most people in the United States call themselves moderate, rather than liberal or conservative.  
  
[Where do you fit](http://typology.people-press.org/typology/)?

Here are a few areas of dispute between liberalism and conservatism.  
  
These might help clarify the nature of the political dispute that often exists in the United States.

Traditionalism vs. Reform  
  
Conservatives argue that traditional relationships (think: heterosexual marriage) provide stability for a society and that these should not be radically changed. Liberals argue that these relationships should be modified to comply with changing morays of society.

Religion  
  
Conservatives historically have seen religion as a stabilizing influence in society while liberals tend to be more secular. Over American history conservatives have been more likely to promote Protestantism and the display of Protestant images in public buildings, thought these have been recently expanded to embrace Catholicism and Judaism. Liberals are more supportive of a secular approach to government (the wall of separation), restrictions of religious imagery and inclusion of Islam, Hinduism and other religions in their understanding of religion.

The Free Market  
  
Conservatives support free markets (or more appropriately [laissez-faire](http://en.wikipedia.org/wiki/Laissez-faire) markets), with minimal intervention by government, except to promote and enhance the marketplace. Liberals are more willing to allow government to provide, or subsidize, certain services that would not otherwise be provided by the market, such as Social Security and Medicare.

Regulations  
  
Conservatives argue that private industry can regulate itself and there is no need for regulatory agencies, which only suppress competition and inhibit innovation. Liberals argue that regulatory agencies are necessary to curb corruption, ensure fair, open transactions, and limit externalities like pollution.

The Military v. Diplomacy  
  
Conservatives believe in a large military and believe the use of the military should be based on the sole interests of the United States with little regard for those of other countries (unilateralism). Liberals believe the military should be smaller, the use military power should be coordinated with other countries (multilateralism), and diplomacy and development are just as important as defense.

Civil Rights  
  
Conservatives are usually opposed to civil rights measures since they disrupt the status quo and create opportunities for certain groups to sue for grievances. This is especially true for affirmative action. Liberals see civil rights as necessary to overcome long standing denials of equal protection.

Law Enforcement  
  
Conservatives tend to take a hard line on law enforcement and oppose measures, even constitutional measures, that enhance the rights of criminal defendants. Liberals argue for the rights of criminal defendants and often support additional funding for public defendants.

Interpreting the Constitution  
  
Conservatives usually argue for limited interpretations of constitutional language while liberals support loose interpretations. Looser interpretations tend to allow for additional national power meaning that it allows for the use of the national government to achieve liberal goals.

Now that we have an understanding of some terms and concepts – as well as the goal of the class - we can turn to the development of the concept of natural rights. This is perhaps the most important of the principles American government is founded upon.